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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)


(Rationalised Report according to the Notice of the President of the EPO published in the OJ11/2001)

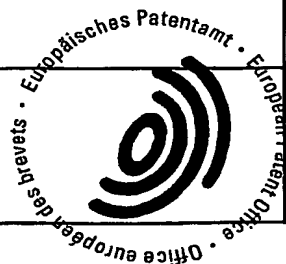
Applicant's or agent's file reference C463.01/G	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB03/04399	International filing date (day/month/year) 13/10/2003	Priority date (day/month/year) 12/10/2002
International Patent Classification (IPC) or national classification and IPC B67B7/00		
Applicant GRUENENTHAL GMBH		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 2 sheets, including this cover sheet.
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consists of a total of _____ sheets.

- This report contains indications relating to the following items:
 - I ☒ Basis of the report
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 12/05/2004	Date of completion of this report 26/08/2004
Name and mailing address of the IPEA/  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Netherlands Tel.: (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer ZIDI K Tel. (+49-89) 2399 2828



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB03/04399

I. Basis of the report

The basis of this international preliminary examination is the application as originally filed.

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability

In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claim references).

Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY

The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51 bis.1(a)(iii)):

in relation to this international application,

Gruenenthal GmbH is entitled to claim priority of earlier application

GB 0223794.9 filed on 12/10/2002

by virtue of the following:

Cambridge Consultants Limited was entitled as employer of the inventors, Nicholas Andrew Murray DROUGHT, Stephen BLATCHER, Ian Michael Daines GAYLOR and Mark Stacey ROWBOTHAM, and

an assignment from Cambridge Consultants Limited to Gruenenthal GmbH, dated 5th June 2003.

This declaration is made for the purposes of all designations.